

INFORMATIONAL LETTER NO. 2089-MC-FFS

DATE: January 7, 2020

TO: Home and Community Based Service (HCBS) Waiver Providers

APPLIES TO: Managed Care (MC) and Fee-for-Service (FFS)

FROM: Iowa Department of Human Services (DHS), Iowa Medicaid Enterprise (IME)

RE: HCBS Brain Injury Waiver Program Changes January 2020

EFFECTIVE: January 8, 2020

Pursuant to the authority of Iowa Code section 249A.4, DHS has amended 441 Iowa Administrative Code (IAC) Chapter 77, “Conditions of Participation for Providers of Medical and Remedial Care”, and IAC Chapter 83, “Medicaid Waiver Services”. These amendments include changes to the HCBS Brain Injury (BI) Waiver provider qualifications, member needs assessment requirements, qualified brain injury professional definition, and adds the reserved capacity slot criteria to the administrative rule. These administrative rule changes are effective January 8, 2020.

Administrative Rule	Change	What This Means
441-77.39(21) 441-77.39(23) ¹	Updates the providers that are eligible to participate in the BI Waiver as Family Training and Counseling and Behavior Programming providers	Agencies accredited by a department approved, nationally recognized accreditation organization as a specialty brain injury rehabilitation service provider and individuals who meet the definition of qualified brain injury professional as set forth in rule 441—83.81(249A) are qualified to provide Family Training and Counseling and Behavior Programming under the BI Waiver.

¹ <https://www.legis.iowa.gov/docs/iac/rule/12-04-2019.441.77.39.pdf>

441-83.81 ²	Updates the definition of Qualified Brain Injury Professional (QBIP)	Clarifies that a person with a bachelor's degree in human services, social work, psychology, sociology, public health or rehabilitation services must also have 4,000 hours of direct experience with people living with a brain injury to be designated a QBIP.
441-83.82 ³	Adds the current version of the Mayo Portland Adaptability Inventory (MPAI) as a supplement to the current tools in use for the purposes of HCBS BI Waiver level of care (LOC) determination, comprehensive person-centered service planning and measuring individual member service outcomes.	Beginning January 8, 2020, applicants to the HCBS BI Waiver and current HCBS BI Waiver members will be assessed using both the MPAI assessment tool in addition to the assessment tool listed in Informational Letter 2088-MC-FFS ⁴ . Current BI Waiver members will participate in the MPAI assessment during their next scheduled annual continuing stay review.
441-83.83 ⁵	Adds to rule the current BI Waiver reserved capacity slot criteria for individuals residing in nursing facility (NF), skilled nursing facility (SNF) or intermediate care facility for persons with intellectual disabilities (ICF/ID) and those receiving residential Community-based Neurobehavioral Rehabilitation Services (CNRS). Implements an emergency needs assessment for prioritization of members on the funding slot waiting list for the BI Waiver.	There is no change in policy or practice related to the reserved capacity slot criteria. Implementation of the Emergency Needs Assessment will enable individuals on the HCBS BI Waiver waitlist with an emergent or urgent need for services to request prioritization on the HCBS BI Waiver waitlist. BI Waiver applicants will receive a letter along with HCBS BI Waiver Emergency Needs Assessment, Form 470-5583 at the time the applicant is placed on the BI Waiver funding slot waitlist. Applicants with an emergent or urgent need may request wait list prioritization by submitting the completed assessment to IME Medical

² <https://www.legis.iowa.gov/docs/iac/rule/12-04-2019.441.83.81.pdf>

³ <https://www.legis.iowa.gov/docs/iac/rule/12-04-2019.441.83.82.pdf>

⁴ https://dhs.iowa.gov/sites/default/files/2088-MC-FFS_Assessment_Tools_Approved_for_HCBS.pdf

⁵ <https://www.legis.iowa.gov/docs/iac/rule/08-02-2017.441.83.83.pdf>

		<p>Services Unit. The IME will notify the applicant of the determination to grant or deny waitlist prioritization.</p> <p>During January 2020, the IME will begin mailing the Emergency Needs Assessment form to all applicants on the BI Waiver waitlist. Applicants on the waitlist with an emergent or urgent need may return the completed form to the IME Medical Services Unit at any time.</p> <p>Waitlist prioritization does not guarantee access to the BI Waiver. The following criteria must also be met:</p> <ul style="list-style-type: none"> • A funding slot must be available; and • The applicant must have a BI diagnosis, and have needs that would otherwise be met in NF, SNF or ICF/ID were it not for the waiver.
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All department approved forms may be accessed at the [Provider Forms webpage](#).⁶
All administrative rules may be accessed at the [Rules and Policies webpage](#).⁷

Questions regarding these administrative rule changes should be addressed with your HCBS Specialist or you may contact LeAnn Moskowitz, Program Manager, at 515-256-4653 or lmoskow@dhs.state.ia.us.

⁶ <https://dhs.iowa.gov/ime/providers/forms>

⁷ <https://dhs.iowa.gov/ime/providers/rulesandpolicies>